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Message Text

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70
ACTION DLOS-04

INFO OCT-01 IO-11 ISO-00 ACDA-10 AGR-10 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-02 COME-00 DODE-00 DOTE-00

EB-07 EPA-04 ERDA-07 FMC-02 TRSE-00 H-02 INR-07

INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-02 OES-06

OMB-01 PA-02 PM-04 PRS-01 SP-02 SS-15 USIA-15 SAL-01

FEA-01 AF-06 ARA-10 EA-09 EUR-12 NEA-10 /184 W
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DEPT PASS TO ALL DIPLOMATIC POSTS

FROM USDEL LOS

E.O. 11652: N/A
TAGS: PLOS
SUBJ: LOS: UNCLASSIFIED WEEKLY SUMMARY: MARCH 29 -
APRIL 2, 1976

1. SUMMARY: REVIEW OF THE SINGLE NEGOTIATING TEXT IN ALL THREE COMMITTEES PROCEEDED DURING WEEK IN GENERALLY BUSINESS-LIKE FASHION. GROUP OF 49 LANDLOCKED/GEOGRAPHICALLY DISAD-VANTAGED STATES BEGAN MAJOR EFFORT IN MAIN COMMITTEES TO AMEND KEY AREAS OF TEXTS. INITIAL EFFORT IN C-II REGARDING ECONOMIC ZONE HAD UNCERTAIN EFFECT ON POSITION OF COASTAL STATES AND REGIONAL GROUPS. COMMITTEE I (DEEP SEABEDS) CONCLUDED DEBATE ON ANNEX I. CHAIRMAN WILL CIRCULATE HIS VERSION OF EMERGING CONSENSUS ON ANNEX I NEXT WEEK. COMMITTEE II (TERRITORIAL SEA, STRAITS, ECONOMIC ZONE) COMPLETED REVIEW OF ARTICLES ON TERRITORIAL SEA, CONTIGOUS ZONE, AND STRAITS.
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PRIOR TO DEBATE ON ECONOMIC ZONE, NO BROAD SUPPORT WAS EVIDENT

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FOR VARIOUS AMENDMENTS WITH GREAT MAJORITY VIEWING SNT AS A
BALANCED COMPROMISE ON THESE ARTICLES. IN COMMITTEE III
(MARINE POLLUTION AND SCIENTIFIC RESEARCH) DISCUSSIONS
ON SCIENCE CONTINUED ON BASIS OF DISTINCTION BETWEEN
FUNDAMENTAL AND RESOURCE RELATED RESEARCH. END SUMMARY.

2. COMMITTEE I (DEEP SEABED) CONCLUDED DEBATE ON ANNEX
1 IN INFORMAL COMMITTEE MEETINGS, DURING THE
FIRST OF NEXT WEEK ENGO WILL DISTRIBUTE A DRAFT TEXT
REPRESENTING HIS PERSONAL ASSESSMENT OF THE EMERGING CON-
CENSUS ON THE WHOLE OF ANNEX 1. ENGO HAS ESTABLISHED
WORK SCHEDULE FOR REMAINDER OF NEW YORK SESSION. APRIL 2
- APRIL 19 THE MACHINERY OF THE AUTHORITY, THE ASSEMBLY,
THE COUNCIL, THE TRIBUNAL AND OTHER ORGANS OF THE
AUTHORITY. THE COMMITTEE WILL THEN TAKE SEVERAL DAYS TO
CONSIDER THE COMMITTEE WORKING PAPERS WHICH ARE ENGO'S
PERSONAL ASSESSMENT OF THE EMERGING CONSENSUS. ENGO
WILL THEN RECESS THE COMMITTEE FOR UP TO FIVE DAYS DURING
WHICH DELEGATIONS WILL CONSULT ON THE PACKAGE OF ARTICLES
AND INFORM THE CHAIRMAN OF THEIR VIEWS. AT THE END OF
THIS PROCESS, THE CHAIRMAN WILL PRODUCE A REVISED SINGLE
NEGOTIATING TEXT. THIS DOCUMENT SHOULD BE DISTRIBUTED
ABOUT THE SIXTH WEEK OF THE CONFERENCE AND WILL BE DIS-
CUSSED THROUGH THE END OF THIS SESSION.

3. COMMITTEE II (TERRITORIAL SEA, STRAITS, ECONOMIC
ZONE). DEBATE ON ARTICLES 23-44 ON THE TERRITORIAL
SEA, CONTIGUOUS ZONE, AND STRAITS USED FOR INTERNATIONAL
NAVIGATION, WAS COMPLETED. THERE WAS SOME SUPPORT
FOR BROADENING THE LIABILITY OF SHOPS AND OF COASTAL
STATES FOR BREACH OF OBLIGATIONS AND/OR DAMAGE CAUSED
IN THE TERRITORIAL SEA. THERE WAS ALSO SOME SUPPORT
EITHER FOR ABANDONING THE CONCEPT OF A CONTIGUOUS ZONE
OR FOR LIMITING IT TO 12 MILES. OPPOSITION TO SNT
REGIME FOR STRAITS USED FOR INTERNATIONAL NAVIGA-
TION WAS LIMITED TO VERY FEW STRAITS STATES, WITH THE
OVERWHELMING MAJORITY OF STATES SILENT ON THE ISSUE.
OVERALL THE DISCUSSION PROCEEDED ON AN EVEN KEEL WITH
THE GREAT MAJORITY VIEWING THE SNT AS A BALANCED
POSITION. BEGINNING OF DEBATE ON THE ECONOMIC ZONE,
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ON ARTICLE 45, SUMMARY OF COASTAL STATE RIGHTS IN THE
ZONE, ATTRACTED WIDESPREAD DEBATE. LL/GDS GROUP INTRO-
DUCED SUBSTITUTE ARTICLE 45 WHICH WOULD INTER ALIA
DELETE ALL REFERENCE TO "EXCLUSIVE" WITH RESPECT TO
THE ECONOMIC ZONE. THIS PROPOSAL DREW A STRONG
REACTION FROM COASTAL STATE GROUP. U.S. ALSO INTRO-
DUCED AMENDMENTS TO EXISTING ARTICLE 45 WHICH
TOOK A MODERATE POSTURE BETWEEN THE CONFLICTING POSITIONS

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OF THE LL/GDS ON ONE SIDE AND EXTREME COASTAL STATES
ON THE OTHER. SEVERAL SIMILAR PROPOSALS FROM OTHER
COUNTRIES RECEIVED SIGNIFICANT SUPPORT.

4. COMMITTEE III (SCIENTIFIC RESEARCH AND MARINE POLLUTION).
DURING CONTINUING DISCUSSION OF ARTICLES 18 THROUGH 32,
SEVERAL MARITIME STATES SUPPORTED A DISTINCTION APPROACH
BETWEEN FUNDAMENTAL AND RESOURCE-RELATED RESEARCH WHILE
SEVERAL MEMBERS OF THE GROUP OF 77 CONTINUED TO PRESS FOR
AN ABSOLUTE CONSENT REGIME, WITHOUT COMPULSORY DISPUTE
SETTLEMENT, FOR ALL SCIENCE CONDUCTED IN THE ECONOMIC ZONE.
INDIA, BRAZIL, COLOMBIA AND A FEW OTHERS STATED IN
REGARD TO THE ISSUES BEFORE THE WORKING GROUP THAT SCIENCE
SHOULD BE SUBORDINATED TO POLITICAL CONSIDERATIONS. MEXICO,
SUPPORTED BY SEVERAL LATIN AMERICAN DELEGATIONS, SPOKE ON
THE ISSUE OF MARINE RESEARCH CONDUCTED BY SATELLITES,
AND LANGUAGE WAS SUGGESTED FOR BRINGING DEVICES SUCH AS
SATELLITES WITHIN AN LOS TREATY. SEVERAL OTHER DELEGATIONS
OPPOSED. SEVERAL GROUP OF 77 NATIONS EXPRESSED CONCERN
OVER THE USE OF SCIENTIFIC INSTALLATIONS AND EQUIPMENT
FOR PURPOSES OTHER THAN MARINE SCIENCE.

5. MARINE POLLUTION WORKING GROUP DISCUSSION ON VESSEL-
SOURCE POLLUTION TOOK PLACE IN CONSTRUCTIVE ATMOSPHERE
AND INDICATIVE OF A GENERAL WILLINGNESS TO COMPROMISE.

6. DISPUTE SETTLEMENT: INFORMAL WORKING GROUP ON DISPUTE
SETTLEMENT MET THREE TIMES TO PREPARE FOR PLENARY DEBATE
APRIL 5 AND 6. DURING WEEK GROUP OF 77 CONDUCTED MEETINGS
BOTH REGIONALLY AND THROUGH CONTACT GROUP OF GROUP OF 77
TO DEVELOP POSITIONS FOR PLENARY DEBATE.
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NOTE BY OC/T: NOT PASSED.

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